

**MINUTES OF A REGULAR MEETING OF THE  
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA  
MARCH 18, 2015**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Wednesday, March 18, 2015, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

**Call to Order.** Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

**Roll Call.**

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Absent
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. Six of the seven council members were in attendance which is a majority; therefore, there was a quorum for the meeting.

**Pledge of Allegiance.** Mayor Seitz invited all those present to join him in reciting the Pledge of Allegiance.

**Approval of the Minutes.**

The following minutes were distributed to and examined by the Council:

1. February 18, 2015 regular common council meeting

A motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to approve the minutes as presented. Motion carried 6-0.

**JCAC.** Jasper Community Arts Commission member Selena Vonderheide attended the meeting on behalf of the Board.

**Boy Scouts.** Scoutmaster Kurt Hedinger for Boy Scout Troop 182 introduced five scouts and another leader who were present. The scouts are working on the citizenship in the community merit badge.

**Public hearing.** Mayor Seitz opened the public hearing concerning the petition of Indiana Investments of Jasper LLC to vacate sewer easements at 750 Second Street.

A notice appeared in the Herald on March 4, 2015, was posted at city hall, and faxed to the news media.

Nathan Seger, representing Indiana Investments of Jasper LLC, said his client wants to vacate public sewer easements on Lot No. 1 of the Replat of Lot 1 of D. J. Realty Corp. 1st Addition, otherwise known as 750 Second Street. Seger said years ago when a new easement was put in place on that property, two existing easements that ran through the building were not vacated. Because the property is changing ownership, these two easements need to be vacated. Seger said the Utility Service Board did not have any concerns and recommended the vacation.

Mayor Seitz then asked for comments from the public. No comments were received.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 6-0.

**ORDINANCE NO. 2015-8 AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA, VACATING PUBLIC SEWER EASEMENTS, CITY OF JASPER**

This ordinance vacates public sewer easements on Lot No. One of the Replat of Lot 1 of D. J. Realty Corp. 1<sup>st</sup> Addition; commonly known as 750 Second Street. Petition of Indiana Investments of Jasper LLC.

A motion was made by Council member Raymond Howard and seconded by Council member Randall Buchta to consider the ordinance for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member David Prechtel to have the ordinance read by title only. Motion carried 6-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2015-8. Motion carried 6-0.

**Review tax abatement compliance form [CF-1/real property]-Jasper Chair Company.** Copies of the Compliance with Statement of Benefits Form for real property for 2014 pay 2015 from Jasper Chair Company Inc were previously distributed to the council members for their review.

Jasper Chair Company Inc submitted its Form CF-1 for personal property for consideration at the May 21, 2014 council meeting. Jameson Herring with BKD, LLP said their firm would file Jasper Chair's Form CF-1/RE within 30 days after the Dubois County Assessor issued Form 11 that contains the increase in assessed value related to their building addition. The assessor issued Jasper Chair's Form

11 notice in July 2014 but the Form CF-1 real property was just now submitted to the City for consideration.

Jeff Barth, President of Jasper Chair Company Inc, said their building improvements were estimated to be completed by April 1, 2014 but because of inclement weather their second building was not completed until June or July.

A motion was made by Council member Gregory Schnarr and seconded by Council member Randall Buchta to find that Jasper Chair Company Inc is in substantial compliance with its 2014 pay 2015 statement of benefits for real property [CF-1/real property]. Motion carried 6-0.

**Public hearing.** Mayor Seitz opened the public hearing to receive public input concerning the resolution that waives Jasper Chair Company Inc's noncompliance for late-filed documents to obtain a tax abatement deduction on real property for the 2014 pay 2015 year.

A notice appeared in the Herald on March 4, 2015, was posted at city hall, and faxed to the news media.

City Attorney Renee Kabrick said Indiana Code allows the City to waive noncompliance for a business if they late-file certain documents. The Dubois County Assessor issued Jasper Chair's Form 11 that contains the increase in assessed value related to their building addition in July 2014. Jasper Chair had 30 days after that date to file the CF-1/real property form. Since Jasper Chair just submitted its 2014 pay 2015 Form CF-1/real property for consideration, the form is late. A public hearing must be held as part of the process.

Council member David Prechtel asked if the City would be setting a precedent if it waives Jasper Chair's noncompliance. Kabrick said she did not think the City would be setting precedent. The City needs to look at each request on a case-by-case basis. She also said this is Jasper Chair's first go-round and they missed a filing deadline.

Jeff Barth, President of Jasper Chair Company Inc, said BKD, LLP, an accounting firm in Indianapolis, does work such as this for them and the person working on this matter left the firm. Barth admitted that he does not understand the process but with BKD's help they will stay in compliance in the future.

After some discussion, the council members informed Barth that his business must meet the tax abatement requirements and they do not want him to ask for another waiver in the future.

Mayor Seitz then asked for comments from the public. No comments were received.

Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to close the public hearing. Motion carried 6-0.

**RESOLUTION NO. 2015-3 RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA APPROVING A WAIVER OF NON-COMPLIANCE FOR A LATE-FILED ASSESSED VALUATION DEDUCTION DOCUMENTS OF JASPER CHAIR COMPANY INC.**

This resolution waives Jasper Chair Company, Inc. non-compliance for late-filed documents to obtain a tax abatement deduction on real property for the 2014 pay 2015 year.

A motion was made by Council member David Prechtel and seconded by Council member Raymond Howard to consider the resolution for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to have the resolution read by title only. Motion carried 6-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Randall Buchta to pass and adopt Resolution No. 2015-3. Motion carried 6-0.

**Dubois Strong.** Dubois Strong President Ed Cole gave an update on the organization's initiatives. Cole said a housing study is the major focus. He also said nationwide and locally there is a need for truck drivers so they set up a logistics council that is working on a location for a training area, is looking for a qualified instructor, and is looking for equipment. Cole said the revolving loan fund is not used as much as it could be used. The organization received these funds years ago from the USDA.

**Utility Service Board.** General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on March 16, 2015. A copy of the Utility Service Board minutes is supplied to each council member.

**RESOLUTION NO. 2015-2 RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF JASPER, INDIANA REGARDING SERVICE OF UTILITIES TO ANNEXED AREAS AND OTHER MATTERS CONNECTED THEREWITH**

This resolution supports changes to SB309 regarding service of utilities to annexed areas. It states that the City of Jasper would support changes to SB 309 if the local municipal utility and incumbent utility cannot mutually agree on a service territory change following an annexation, the majority of property owners/city citizens, only in the annexed area, should be permitted to petition the IURC to request the IURC consider a service territory change so they can receive all municipal services.

A motion was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to consider the resolution for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to have the resolution read by title only. Motion carried 6-0. The city attorney so read the resolution. Thereafter, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to pass and adopt Resolution No. 2015-2. Motion carried 6-0.

**ORDINANCE NO. 2015-7 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2015.**

This ordinance appropriates additional money for the 2015 budget--\$40,000 in the LPCE Fund for a police vehicle and a utility vehicle.

A notice to taxpayers appeared in the Herald on March 7, 2015. Mayor Seitz then asked if anyone from the public had comments concerning the additional appropriations. No comments were received.

A motion was made by Council member David Prechtel and seconded by Council member Randall Buchta to consider the ordinance for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Earl Schmitt to have the ordinance read by title only. Motion carried 6-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2015-7. Motion carried 6-0.

**ORDINANCE NO. 2015-9 AN ORDINANCE AMENDING ORDINANCE 2014-3, ENTITLED AN ORDINANCE REPEALING SECTION 8 OF ORDINANCE NO. 546, ENTITLED AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA—TRUCK ROUTES AND LOAD LIMITS AND SETTING FORTH TRUCK LOAD LIMITS AND STREET RESTRICTIONS FOR THE CITY OF JASPER, INDIANA**

This ordinance amends the truck load limit/street restriction schedule.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to consider the ordinance for one reading only. Motion carried 6-0. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Raymond Howard to have the ordinance read by title only. Motion carried 6-0. The city attorney so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta

and seconded by Council member David Prechtel to pass and adopt Ordinance No. 2015-9. Motion carried 6-0.

**Special meeting.** A special meeting to consider additional appropriations to fund studies for the former Hoosier Desk building was set for Thursday, April 2, 2015 at 8:00 a.m.

**Adjournment.** There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to adjourn the meeting. The motion carried 6-0 and the meeting adjourned at 8:01 p.m.

The minutes were hereby approved \_\_\_\_\_ with  X  without corrections or clarification this 22<sup>nd</sup> day of April, 2015.

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**Mayor Terry Seitz,  
Presiding Officer**

**Attest:** \_\_\_\_\_  
**Juanita S. Boehm, Clerk-Treasurer**